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PATENT
Attorney Docket No.: S-9-6

Commissioner for Patents,
Alexandria, VA 22313-1450

On Oct. 14, 2003

By CDN
Michelle Nicely

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Lewis Sharps, et al.

Application No.: 10/613,115

Filed: July 3, 2003

For: **METHODS FOR REPAIRING DAMAGED
INTERVERTEBRAL DISCS**

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE
STATEMENT UNDER
37 CFR §1.97 and §1.98**

Commissioner for Patents
Alexandria, VA 22313-1450

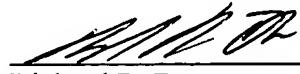
Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. A copy of each is enclosed.

It is respectfully requested that the cited information be considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue there from.

This IDS is being filed before the mailing date of the first Office Action on the merits. Accordingly, Applicants believe that no fee is necessary. Should a fee be deemed necessary for submission of this IDS, the Commissioner is authorized to charge the required fee to Deposit Account No. 50-0359.

Respectfully submitted,


Richard R. Batt
Reg. No. 43,485

Oct. 14, 2003
Date

ArthroCare Corporation
680 Vaqueros Ave.
Sunnyvale, CA 94085-3523
(408) 736-0224

FORM PTO-1449 (Modified)

Attorney Docket No.

Application No.:

LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENT
(Use several sheets if necessary)

S-9-6

10/613,115

Applicant: Lewis Sharps et al.

Filing Date:
July 3, 2003

Group:

Reference Designation

U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	Class	Sub-class	Filing Date

FOREIGN PATENT DOCUMENTS

	Document No.	Date	Country	Class	Sub-class	Translation (yes/no)
AA	EP 0 694 290	11/15/00	Europe	A61B	18/04	
AB	92/21278	12/10/92	WIPO	A61B	5/04	
AC	94/08654	04/28/94	WIPO	A61M	37/00	
AD	97/00647	01/09/97	WIPO	A61B	17/39	
AE	97/00646	01/09/97	WIPO	A61B	17/39	
AF	EP 0 703 461	03/27/96	Europe	G01R	27/02	
AG	EP 0 754 437	01/22/97	Europe	A61B	17/39	
AH	97/48345	12/24/97	WIPO	A61B	17/39	
AI	98/27880	07/02/98	WIPO	A61B	17/39	
AJ	2 327 350	01/27/99	UK	A61B	17/39	
AK	2 327 351	01/27/99	UK	A61B	17/39	
AL	2 327 352	01/27/99	UK	A61B	17/39	
AM	3930451	03/21/91	Germany	A61B	17/39	
AN	57-57802	04/05/82	JP	A61B	1/00	

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AO	Pearce, John A. (1986) <i>Electrosurgery</i> , pgs. 17, 69-75, 87, John Wiley & Sons, New York.
AP	J.W. Ramsey et al. <i>Urological Research</i> Vol. 13, pp. 99-102 (1985).
AQ	V.E. Elsasser et al. <i>Acta Medicotechnica</i> Vol. 24, No. 4, pp. 129-134 (1976).
AR	P.C. Nardella (1989) <i>SPIE</i> 1068:42-49 Radio Frequency Energy and Impedance Feedback
AS	R. Tucker et al., Abstract P14-11, p. 248, "A Bipolar Electrosurgical Turp Loop".
AT	R. Tucker et al. <i>J. of Urology</i> Vol. 141, pp. 662-665, (1989).
AU	R. Tucker et al. <i>Urological Research</i> Vol. 18, pp. 291-294 (1990).
AV	Kramolowsky et al. <i>J. of Urology</i> Vol. 143, pp. 275-277 (1990).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Examiner Initial	Document No.	Date	Name	Class	Sub-class	Filing Date
FOREIGN PATENT DOCUMENTS						
	Document No.	Date	Country	Class	Sub-class	Translation (yes/no)
AW	WO 95/34259	12/21/95	WIPO	A61F	5/48	
AX	WO 93/13816	07/22/93	WIPO	A61B	17/36	
AY	WO 90/07303	07/12/90	WIPO	A61B	17/39	
AZ	WO 94/04220	03/03/94	WIPO	yes	A61N	1/06
BA	0 740 926 A2	11/06/96	EP	A61B	17/39	
BB	96/00042	01/04/96	WIPO	A61B	17/39	
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BD	97/24993	07/17/97	WIPO	A61B	17/39	
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BG	98/07468	02/26/98	WIPO	A61N	1/40	
BH	2 308 979	07/16/97	GB	A61B	17/36	
BI	2 308 980	07/16/97	GB	A61B	17/36	
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BL	99/51158	10/14/99	WIPO	A61B	17/39	
BM	99/51155	10/14/99	WIPO	A61B	17/36	
BN	98/27879	07/02/98	WIPO	A61B	17/36	
BO	WO 97/24074	07/10/97	WIPO	A61B	17/39	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
BP	Kramolowsky et al. J. of Urology Vol. 146, pp. 669-674 (1991).					
BQ	Slager et al. Z. Kardiol. 76:Suppl. 6, 67-71 (1987).					
BR	Slager et al. JACC 5(6):1382-6 (1985).					
BS	Olsen MD, Bipolar Laparoscopic Cholecstectomy Lecture (marked confidential), 10/07/91					
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FOREIGN PATENT DOCUMENTS				
	Document No.	Date	Country	Class
BT	90/03152	04/05/90	WIPO	A61B
BU	2313949	01/07/77	France	A61N
	93/20747	10/28/93	WIPO	A61B
				5/00
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)				
BV	Codman & Shurtleff, Inc. "The Malis Bipolar Electrosurgical System CMC-III Instruction Manual" 7/1991			
BW	Valley Forge's New Products, CLINICA, 475, 5, 11/6/91			
BX	Valley Forge Scientific Corp., "Summary of Safety and Effective Information from 510K," 1991			
BY	Codman & Shurtleff, Inc. "The Malis Bipolar Coagulating and Bipolar Cutting System CMC-II" brochure, early 1991			
BZ	L. Malis, "The Value of Irrigation During Bipolar Coagulation" See ARTC 21602, early 4/9/93			
CA	L. Malis, "Excerpted from a seminar by Leonard I. Malis, M.D. at the 1995 American Association of Neurological Surgeons Meeting," 1995			
CB	L. Malis, "Electrosurgery, Technical Note," J. Neursurg., Vol. 85, 970-975, 11/96			
CC	Ian E. Shuman, "Bipolar Versus Monopolar Electrosurgery: Clinical Applications," Dentistry Today, Vol. 20; No. 12, 12/01			
CD	Protell et al., "Computer-Assisted Electrocoagulation: Bipolar v. Monopolar in the Treatment of Experimental Canine Gastric Ulcer Bleeding," Gastroenterology Vol. 80, No. 3, pp. 451-455			
CE	Cook and Webster, "Therapeutic Medical Devices: Application and Design," 1982			
CF	Valleylab SSE2L Instruction Manual, 1/6/83			
CG	Robert D. Tucker et al., "Demodulated Low Frequency Currents from Electrosurgical Procedures," Surgery, Gynecology and, Obstetrics, 159:39-43, 1984			
CH	Lu, et al., "Electrical Thermal Angioplasty: Catheter Design Features, In Vitro Tissue Ablation Studies and In Vitro Experimental Findings," Am J. Cardiol Vol. 60, pp. 1117-1122			
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TRADE MARK OFFICE
OCT 16 2003

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

CH	Selikowitz & LaCourse, "Electric Current and Voltage Recordings on the Myocardium During Electrosurgical Procedures in Canines," <i>Surgery, Gynecology & Obstetrics</i> , Vol. 164, 219-224, March 1987
CI	J. O'Malley, Schaum's Outline of Theory and Problems of Basic Circuit Analysis, McGraw-Hill, 2 nd Ed., 1992, pp. 3-5
CJ	Arnaud Wattiez et al., "Electrosurgery in Operative Endoscopy," <i>Electrosurgical Effects</i> , Blackwell Science, pp. 85-93, 1995
CK	Leslie A. Geddes, "Medical Device Accidents: With Illustrative Cases" CRC Press, 1998
CL	Wyeth, "Electrosurgical Unit" pp. 1181-1202
CM	C.P. Swain, et al., <i>Gut</i> Vol. 25, pp. 1424-1431 (1984)
CN	Piercey et al., <i>Gastroenterology</i> Vol. 74(3), pp. 527-534 (1978)
CO	A.K. Dobbie <i>Bio-Medical Engineering</i> Vol. 4, pp. 206-216 (1969)
CP	B. Lee et al. <i>JACC</i> Vol. 13(5), pp. 1167-1175 (1989)
CQ	K. Barry et al. <i>American Heart Journal</i> Vol. 117, pp. 332-341 (1982)
CR	W. Honig <i>IEEE</i> pp. 58-65 (1975)
CS	Jacob Kline, <i>Handbook of Biomedical Engineering</i> , Academic Press Inc., N.Y., pp. 98-113, 1988
CT	M.B. Dennis et al. "Evolution of Electrofulguration in Control of Bleeding of Experimental Gastric Ulcers," <i>Digestive Diseases and Sciences</i> , Vol. 24, No. 11, 845-848
CU	Letter from Department of Health to Jerry Malis dated April 15, 1985
CV	Letter from Jerry Malis to FDA dated July 25, 1985
CW	Letter from Department of Health to Jerry Malis dated 04/22/91
CX	Leonard Malis, "Instrumentation for Microvascular Neurosurgery" <i>Cerebrovascular Surgery</i> , Vol 1, 245-260, 1985;

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CY	94/14383	7/7/94	WO			
CZ	98/11944	3/26/98	WO			
DA	98/17190	4/30/98	WO			
DB	99/47058	9/23/99	WO			
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
DC	J. Saal, Md, et al. Thermal Characteristics and the Lumbar Disc: Evaluation of a Novel Approach to Targeted Intradiscal Thermal Therapy					
EXAMINER	DATE CONSIDERED					